

REMARKS

In response to the action of July 23, 2007, applicants asks that all claims be allowed in view of the amendments to the claims and the following remarks.

Claims 1, 2, 4, 6-8, 10, 13-16, 19 and 20 are currently pending, of which claims 1, 8 and 15 are independent. Claims 1, 8 and 15 have been amended. Support for these amendments can be found throughout the application at, for example, page 14, lines 8-29 and FIG. 5 (item 74). No new matter has been introduced.

As an administrative matter, applicant notes an initialed copy of the Form PTO-1449 filed on March 31, 2006 was not received with the action mailed on July 23, 2007. It is therefore respectfully requested that the Examiner return a copy of the initialed Form PTO-1449 to applicant.

Claims 1-2, 6-8, 10, 13-16 and 19-20 have been rejected as being anticipated by U.S. Patent No. 6,671,757 (Multer), in view of U.S. Patent No. 6,948,133 (Haley) and Official Notice that ActiveX is commonly and widely used for developing reusable object oriented software components wherein XML documents may be used. Applicant requests reconsideration and withdrawal of the rejection because neither Multer, Haley, nor any proper combination of the references, describes or suggests the subject matter of amended independent claims 1, 8 and 15.

Multer relates to synchronizing devices. (Abstract). Given first and second systems A and B, a differencing transmitter extracts information from A and converts the information extracted into difference information, which comprises only the changes to B's data which have occurred on B. (Col. 6, lines 6-10). Only the difference information ("an [sic] instructions where to insert those differences") is transmitted between systems. (Col. 6, lines 20-24).

Multer fails to disclose or suggest a method that includes "copying the at least one data element and the related data element to an export data file by converting the at least one data element and the related data element to ActiveX Data Object specific extensible markup language files by data type," as recited by amended claim 1. Further, Multer fails to disclose or suggest a method that includes "accessing a related data element from the source database, the related data element defined to have a relationship to the at least one data element and affecting a

layout of the at least one data element," also as recited by claim 1. Therefore, for at least these reasons and the reasons stated in applicant's reply to the action of December 29, 2006, Multer does not describe or suggest these features, nor does the action contend that Multer does so.

For these features, the action relies on Haley. Haley discloses techniques for dynamically configuring a user interface display. (Col. 1, lines 10-14.) More particularly, Haley discloses a non-procedural method for interfacing a data buffer to event driven user interface controls. (Col. 1, lines 10-14.) In one aspect, Haley discloses techniques for dynamically configuring image elements for prompting user data entry in a user interface display. (Col. 4, lines 3-7.) To do so, Haley uses a "database that associates a condition with input data received via the prompt element" and an "image element processor determines whether the received input data satisfies the condition." (Col. 4, lines 7-10.) Haley's technique "activates or inactivates an image element in the user interface display in response to the determination." (Col. 4, lines 10-12.) For example, as shown in Haley's FIG. 7 and corresponding text, Haley indicates:

Another class of data constraint is extremely dynamic. In this case, the required data constraint is not known until runtime. For example, the allowable values in a pick list might change frequently enough that embedding such values into the form 3 is inappropriate. This includes constraints that may cause a data item to become e.g. either relevant, irrelevant or required as other data items (and the prompt elements with which they are linked) on the form are changed. For example, the data item last_PAP_Test_Date (not illustrated in FIG. 3) is required if the patient gender (also not illustrated in FIG. 3) is FEMALE. Conversely, if the patient gender is MALE then last_PAP_Test_Date is irrelevant and should not be entered. This class of data constraint needs to be evaluated after each data item that is linked with the underlying condition is changed.

For example, as soon as the patient gender is changed to MALE, the data item last_PAP_Test_Date becomes irrelevant and each prompt element that is bound to the last_PAP_Test_Date data item is inactivated. Conversely, as soon as the patient gender is changed to FEMALE, the data item last_PAP_Test_Date becomes relevant and required and each prompt element that is bound to the last_PAP_Test_Date data item is activated and highlighted. In FIG. 7, table 41 depicts an example of data constraints which are dynamically evaluated as data is changed on a form. This type of data constraint is marked in the first column to be evaluated at ONCHANGE time and the data items participating in the condition 45 are listed in column 43. Whenever data is changed on the form, the table 41 is scanned to determine if the changed data item matches any data items listed in

column 43. If so, the changed data item must be checked against an associated condition, listed in column 45. If the associated condition is met, the associated actions listed in column 44 are performed.

For example, if /Patient/Sex is the data item that is changed, then both of the entries illustrated in table 41 of FIG. 7 will be triggered, causing their conditions in column 45 to be evaluated. If the condition of column 45 produces a TRUE result, then the corresponding action of column 44 will be performed. Referring specifically to the top row, if the /Patient/Sex changes to "F" (Female) then any prompt element bound to last_PAP_Test_Date (column 42) will be set to "Required". Referring to the second row, if the /Patient/Sex changes to "M" (Male) any prompt element bound to last_PAP_Test_Date will be inactivated. Similar processing may be performed with respect to a combo-box to change the allowable entries based on a change in data in some other prompt element.

(Col. 10, lines 20-67.)

More particularly, the action contends that Haley discloses "copying the at least one data element and the related data element to an export data file by converting the at least one data element and the related data element to ActiveX Data Object files" at column 11, lines 54-67:

As the user interacts with the prompt elements (4, 5, 6, 7, 14, 15, 16 and 17) of the HTML form 3, the data in at least some of the prompt elements changes. The DHTML browser will initiate events that are directed to the prompt element event handlers, some of which are in the HTML document itself (FIG. 10B, line 137 to FIG. 10D line 190). Some of the event handlers are so generic that they reside in JavaScript files. **The prompt element event handlers generally extract the changed data from the prompt element and update the linked node in the XML document.** For example, in FIG. 10C (lines 154-164) when the data in the zip code control 5 is changed by the user, line 162 updates the XML document with the new zip code (InputBox_UI_TO_XML (control)).

Col. 11, lines 54-67 (emphasis added). The action indicates that the claimed feature "copying the at least one data element and the related data element to an export data file by converting the at least one data element and the related data element to ActiveX Data Object files" is disclosed by the language of Haley highlighted in the above quote: "The prompt element event handlers generally extract the changed data from the prompt element and update the linked node in the XML document." Applicant respectfully disagrees.

As disclosed, Haley updates an XML document with new or updated data. In the example above, Haley discloses that the XML document is updated with the new zip code. In contrast, claim 1 recites "copying the at least one data element and the related data element to an

export data file **by converting the at least one data element and the related data element to ActiveX Data Object specific extensible markup language files by data type**" (emphasis added). Although Haley discloses an update of an XML file with a data element, Haley does not disclose copying data to an export file by converting data, much less applicant's claimed subject matter where an export data file includes additional information – namely, a related data element defined to have a relationship to the at least one data element that affects a layout of the data element.

Therefore, neither Multer, Haley, nor any proper combination of the references describes or suggests copying the at least one data element and the related data element to an export data file by converting the at least one data element and the related data element to ActiveX Data Object specific extensible markup language files by data type, as recited by claim 1. Nor does the Official Notice taken by the action remedy the failure of Multer and Haley.

Moreover, as discussed above, Multer discloses techniques for synchronizing devices. by transmitting only the difference information ("an [sic] instructions where to insert those differences)[,]" while Haley discloses dynamically configuring a user interface display that includes updating data in an XML document. As such, one skilled in the art facing whatever need or problem was known in the relevant field, would not have been led to modify or combine these references in a manner resulting in subject matter recited by claim 1, without first consulting applicant's disclosure. *See KSR Int'l Co. v. Teleflex Inc.*, No. 04-1350, 550 U.S. ___, 2007 WL 1237837 (Apr. 30, 2007).

Accordingly, for at least these reasons, applicant requests reconsideration and withdrawal of the rejection of independent claim 1 and its dependent claims 2, 6 and 7.

Amended independent claim 8 defines a system that executes the method of claim 1, and defines subject matter that is patentable over Multer for at least the reasons discussed above with reference to claim 1, as do dependent claims 10 and 13-14. Accordingly, for at least these reasons, applicant respectfully requests reconsideration and withdrawal of anticipation rejections of these claims.

Amended independent claim 15 defines an article including a machine-readable medium storing machine-readable instructions that, when applied to the machine, cause the machine to perform the method of claim 1. Thus, claim 15 defines subject matter that is patentable over Multer for at least the reasons discussed above with reference to claim 1, as do dependent claims 16 and 19-20. Accordingly, for at least these reasons, applicant respectfully requests reconsideration and withdrawal of the anticipation rejections of these claims.

Claim 4 has been rejected as being unpatentable over Multer, in view of Haley, and in further view of U.S. Patent No. 5,423,033 (Yuen). Claim 4 depends from claim 1. As described above, amended claim 1 defines subject matter that is patentable over Multer. Thus, dependent claim 4 defines subject matter that is patentable over Multer, and Yuen fails to cure the deficiencies of Multer. Accordingly, for at least these reasons, applicant respectfully requests reconsideration and withdrawal of this rejection of claim 4.

Applicant submits that all claims are in condition for allowance.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

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The fee in the amount of \$1,050 in payment of a three-month extension of time fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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